



General Assembly

February Session, 2004

Amendment

LCO No. 4885

HB0502304885HDO

Offered by:

REP. O'ROURKE, 32nd Dist.
REP. SPALLONE, 36th Dist.
REP. FLOREN, 149th Dist.
REP. METZ, 101st Dist.
REP. PETERS, 30th Dist.
REP. FLEISCHMANN, 18th Dist.
REP. DONOVAN, 84th Dist.
REP. DUFF, 137th Dist.
REP. CARDIN, 53rd Dist.
REP. FONTANA, 87th Dist.
REP. URBAN, 43rd Dist.
REP. WALLACE, 109th Dist.

REP. TERCYAK, 26th Dist.
REP. SHARKEY, 88th Dist.
REP. DAVIS, 50th Dist.
REP. CARUSO, 126th Dist.
REP. MANTILLA, 4th Dist.
REP. O'BRIEN, 24th Dist.
REP. MERRILL, 54th Dist.
REP. COCCO, 127th Dist.
REP. THOMPSON, 13th Dist.
REP. REINOSO, 130th Dist.
REP. MUSHINSKY, 85th Dist.
SEN. DEFRONZO, 6th Dist.

To: Subst. House Bill No. 5023

File No. 368

Cal. No. 247

"AN ACT CONCERNING MUNICIPAL ETHICS CODES."

1 Strike lines 71 and 72 in their entirety and substitute the following in
2 lieu thereof:

3 "(12) "Public employee" means a person, other than an elected or
4 appointed official, employed, whether full or part time, by the
5 municipality or district in which the person serves."

6 In line 75, after "district," insert " in which the person serves,"

7 In line 110, strike "tend to"

8 Strike lines 130 to 133, inclusive, in their entirety

9 In line 134, strike "(C)" and insert "(B)" in lieu thereof

10 In line 137, after "matter is", insert "de minimus in nature or"

11 In line 147, after "charter", strike "or" and insert a comma in lieu
12 thereof

13 In line 148, after "ordinance" and before the period, insert "or
14 ordinance"

15 Strike lines 166 to 169, inclusive, in their entirety and substitute the
16 following in lieu thereof:

17 "(7) No public employee or public official shall disclose or use
18 confidential information concerning municipal affairs for the financial
19 interests of the employee or official or others."

20 In line 171, after "municipally-owned", insert "or district-owned"

21 In line 175, after "business" and before the period, insert ", in which
22 case the public employee or public official may use such vehicle,
23 equipment, facilities, material or equipment for de minimus personal
24 convenience"

25 In line 178, after "district", insert ", valued at one thousand dollars or
26 more,"

27 In line 184, after the period, insert the following: "The provisions of
28 this subdivision shall not prohibit a public employee or public official
29 from receiving compensation for writing, on the employee's or
30 official's own time, a book or article relating to the employee's or
31 official's or employee's service for the municipality or district."

32 In line 187, after "capacity" and before the period, insert the
33 following: ", provided a public official or public employee may receive

34 payment or reimbursement for necessary expenses for any such
35 activity in such official's or employee's official capacity"

36 In line 198, after "person is", insert "normally"

37 In line 243, before "Not", insert "(a)"

38 After line 251, insert the following:

39 "(b) The procedure established under subsection (a) of this section
40 shall provide that if any allegation of unethical conduct, corrupting
41 influence or illegal activity is made with the knowledge that it is
42 without foundation in fact, the respondent shall have a cause of action
43 against the complainant for double the amount of damage caused
44 thereby and if the respondent prevails in such action, the respondent
45 may be awarded by the court the costs of such action together with
46 reasonable attorneys' fees."

47 After line 270, insert the following and renumber the remaining
48 sections and internal references accordingly:

49 "Sec. 9. (NEW) (*Effective July 1, 2004*) (a) The legislative body of each
50 municipality or district shall have the authority to determine if a code
51 of ethical conduct adopted by the municipality or district complies
52 with the provisions of sections 2 to 5, inclusive, of this act.

53 (b) In the case of a municipality or district in which the legislative
54 body is a town meeting, the board of selectmen shall perform all of the
55 duties and have all of the authority and responsibilities required of, or
56 granted to, such legislative body under sections 2 to 8, inclusive, for
57 the purposes of sections 2 to 8, inclusive, of this act."

58 Strike lines 275 to 334, inclusive, in their entirety and renumber the
59 remaining section and internal references accordingly